

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

CORNELIUS TODD,	:	HABEAS CORPUS
1330731,	:	28 U.S.C. § 2241
Petitioner,	:	
	:	
v.	:	CIVIL ACTION NO.
	:	1:12-CV-3788-TWT-ECS
CLAYTON COUNTY DETENTION	:	
CENTER,	:	
Respondent.	:	

FINAL REPORT AND RECOMMENDATION

By Order dated November 7, 2012, the undersigned ordered pretrial detainee Cornelius Todd to (1) either (A) pay the \$5 filing fee for his habeas corpus petition under 28 U.S.C. § 2241 or (B) request permission to proceed in forma pauperis and (2) show cause why this Court should not abstain from ruling on his § 2241 petition, both within twenty-one (21) days. [Doc. No. 2]. As of December 18, 2012, Todd has not responded.

The undersigned **RECOMMENDS** that this case be **DISMISSED WITHOUT PREJUDICE** because Todd has failed to comply with a lawful court order. See LR 41.3A(2), NDGa.

The Clerk is **DIRECTED** to terminate the referral of this case to the undersigned.

SO ORDERED, this 20th day of December, 2012.

S/ E. Clayton Scofield III
E. CLAYTON SCOFIELD III
UNITED STATES MAGISTRATE JUDGE

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**ORDER FOR SERVICE OF REPORT AND RECOMMENDATION OF
UNITED STATES MAGISTRATE JUDGE**

Attached is the report and recommendation of the United States Magistrate Judge in this action in accordance with 28 U.S.C. § 636(b)(1) and this Court's Civil Local Rule 72. Let the same be filed and a copy, together with a copy of this Order, be served upon counsel for the parties.

Pursuant to 28 U.S.C. § 636(b)(1), each party may file written objections, if any, to the report and recommendation within fourteen (14) days of service of this Order. Should objections be filed, they shall specify with particularity the alleged error or errors made (including reference by page number to the transcript if applicable) and shall be served upon the opposing party. The party filing objections will be responsible for obtaining and filing the transcript of any evidentiary hearing for review by the District Court. If no objections are filed, the report and recommendation may be adopted as the opinion and order of the

District Court and any appellate review of factual findings will be limited to a plain error review. United States v. Slay, 714 F.2d 1093 (11th Cir. 1983).

The Clerk is **DIRECTED** to submit the report and recommendation with objections, if any, to the District Court after expiration of the above time period.

SO ORDERED, this 20th day of December, 2012.

S/ E. Clayton Scofield III
E. CLAYTON SCOFIELD III
UNITED STATES MAGISTRATE JUDGE